

has hurtful cuts in education, environment, Medicare and Medicaid, and for its attack on working people and cozy tax breaks to the wealthiest and its raid on workers' pensions.

Send it to the President. Our founders envisioned that when there is a split in values, there will be a veto. Then there will be a veto override. And, if that fails, we will sit down and we will solve the problems before us.

Our values are clashing. In many ways, it is important for America to understand that. This is not about some small matters. This is about the heart and soul of America. Do we invest in our students? Do we care about our seniors? Do we care about our children? Do we value them? Do we want to balance the budget, but do it in a way that is humane and compassionate and fair and just? Or do we want to slash and burn and use those savings to give the wealthiest among us thousands of dollars every year?

I hope the answer to that is no. I think the answer to that is no. And when the President stands tall and vetoes this bill, we will move the debate forward. But that is a battle we do not have to have on the short-term legislation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. BOXER. I ask for 30 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. In closing, strip these short-term bills of extraneous material and let us govern.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

Mr. KERRY. Will the Senator withhold?

The PRESIDING OFFICER. The Senator from Massachusetts.

The Senator will withhold.

CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1995

The PRESIDING OFFICER. The Chair will lay before the Senate the message on H.R. 927, which the clerk will report.

The assistant legislative clerk read as follows:

Resolved, That the House disagree to the amendment of the Senator to the bill (H.R. 927) entitled "An Act to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

The Senate continued with the consideration of the message from the House.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

Mr. KERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask the distinguished acting majority leader for his attention.

I ask unanimous consent the pending resolution be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Mr. LOTT. Would we add to that that the Senator speak as in morning business?

Mr. KERRY. I beg your pardon?

Mr. LOTT. Add to the unanimous consent the Senator speak as in morning business.

Mr. KERRY. I do not need to have that additional part of the request. I think it would be sufficient simply to set it aside, and I would be happy to go back in a quorum call.

Mr. LOTT. Mr. President, I think we are going to be able to work this out here momentarily. But we are not prepared at this moment to set the issue aside.

Mr. KERRY. Mr. President, I ask unanimous consent that it be set aside temporarily for purposes of speaking as in morning business.

I ask the distinguished Senator from Mississippi how long he thinks it might be before we make a decision.

Mr. LOTT. Just momentarily.

Mr. KERRY. In that case, I ask unanimous consent to proceed for such time as necessary, until the Senator has an answer, as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

THE DEBT CEILING

Mr. KERRY. Mr. President, I congratulate the Senator from California on her comments with respect to the budget. I would like to just say a few words.

About a month ago, I came to the floor of the Senate and suggested that, as every Senator here knew, we were headed towards this inevitable moment that we are now in. I think a lot of us felt then that the American people would have been much better served if we had been able to come together on all sides of the aisle, as well as on the other end of Pennsylvania Avenue, in order to try to work out the differences between us.

But all of us understand there is a different dynamic that is working here. And that dynamic, I feel, is underscored by those things that had been attached to the debt ceiling and to the continuing resolution.

Most Americans are sitting at home today sort of scratching their heads. They are saying to themselves, what in God's name is going on in Washington yet again? We thought that in 1994 we voted for a "change." Yet, here is

Washington caught up in this paroxysm of business as usual. For the average Americans who thought they voted to get rid of gridlock in 1994, here they are with a kind of gridlock revisiting them. And a lot of people are probably saying a pox on both of your houses, all of you.

Undoubtedly, tomorrow, a lot of people are going to be confused as they see this definition of nonessential employees. All of a sudden the Government is going to shut down for a little while and nonessential employees are going to be sent home. I would not blame most Americans for sitting at home and saying, "What is this? They are nonessential employees. The Government is going to function adequately for a few days—what are we doing with these people who are nonessential employees every other day of the year?" So a whole lot of further confusion sets in by virtue of this absolutely predictable moment.

Why is this happening? As the Senator from California pointed out, it is happening because our friends on the other side of the aisle have had a responsibility to pass 13 appropriations bills. Last year, under the Democratic leadership, we passed those bills. We sent them to the President on time. Now only five of those bills have been passed, so we need to have what is called a continuing resolution, a temporarily spending measure, because they have not done their work.

Instead of just coming before the Senate and saying, give us a clean, temporary spending measure—what "clean" means is just pass a temporary spending measure; give us 2 more weeks to do our work. That is essentially what it means. We have not done our homework. So you go to the teacher and say, "I need another 2 weeks."

But, instead of just getting another 2 weeks to do the homework, they have brought back other conditions and attached conditions to the temporary extension that they simply could not get passed any other way.

They have had a regulatory relief bill here which the Senator from Kansas has introduced, which the Senate refuses to pass. The Senate refuses to pass it because it wants to attack things like letting citizens know, in their communities, what kind of toxic chemicals are released in their communities.

It is just a voluntary knowledge issue. Should Americans know that a chemical company in the town in which our good citizens live is emitting X, Y, or Z toxics into the sky? It is a very simple issue. It is totally voluntary. Once people have learned that they are emitting this, it does not forbid the emissions. It does not punish anybody. It just lets people know what they are breathing. Our friends want to do away with that. We have not allowed them to do away with that because we think it is important for Americans to know what they are

breathing, and what a chemical company might be putting into the sky. They do not.

Since they could not pass it in the normal course of business in the U.S. Senate, they have attached that kind of measure to the temporary debt ceiling, to the continuing resolution. The result is we are not going to let them pass it. The President says, no. I am not going to have legislative blackmail. I am not going to have a gun held to my head which holds hostage the default of the United States of America to an agenda that cannot be passed otherwise.

That is part of what is at stake here, Mr. President. It is only part of what is at stake here.

The other part of what is at stake here is a great difference that is now seeking definition in the debate in this country about what our priorities are as a Nation. I listened today. And I listened to the Speaker of the House. I listened to the majority leader. They stood up in front of the country, and they said, "We want to balance the budget. They do not." I heard people say we want to just get the fiscal condition of this country under control, and they just want to spend money. That is not what this debate is about. That is not an accurate framing of what is at stake for this country. The issue is not whether or not we want to balance the budget. The issue is not whether or not we want to get control of the fiscal mess which no Republican President in the last 12 years vetoed. The issue is how are we going to balance the budget? Are we going to keep faith with the fundamental notion of fairness in America, or are we going to trample on every notion of fairness which has been part of the debate in this country since we were founded?

Is it fair to cut the money that provides summer jobs for kids who see no opportunity in their lives? Is it fair to ask senior citizens to pay a double amount in their premiums even though they are on a fixed income while you give a tax break to people earning more than \$300,000 a year?

Mr. DODD. Mr. President, will my colleague yield?

Mr. KERRY. I would be happy to yield for a question.

Mr. DODD. I want to commend my colleague from Massachusetts. I hope people are paying attention to what he is saying. It might be worthwhile if our colleague would share with us the very notion. People hear the words "continuing resolution" and "debt ceiling."

As I understand it, Mr. President, the continuing resolution means that the Government is allowed to continue operating despite the fact that the Congress has not completed its business on the normal appropriations bills. As I understand it, we have completed work on 4 of the 13 appropriations bills—9 have not been completed—and that because the Congress has not completed its work on that we have a continuing resolution.

Am I not correct? I ask my colleague, if that is not the case?

Mr. KERRY. Mr. President, the Senator from Connecticut is absolutely correct. The continuing resolution is simply an extension of the budget that takes place because the budget has not been done by the people who are responsible for doing the budget.

Mr. DODD. I further ask my colleague. I understand that a minute ago he said this. Maybe people are not aware of this. Is my colleague suggesting that there are substantive pieces of legislation outside of the budget considerations that are being attached to a continuing resolution merely to allow the Government to operate until we complete our business? For instance, in the area of regulatory reform, is that being put on this kind of a bill?

Mr. KERRY. Mr. President, the Senator from Connecticut is absolutely correct. I think it is an essential component of what people in America need to understand; that while the dilemma is simply extending the budget because the homework has not been done—and I repeat in direct contrast to what happened last year under the Democratic leadership where all 13 appropriations bills were completed on time—the Republicans who were supposed to bring a revolution to the U.S. Senate and to Washington have failed to complete the work on the vast majority of these appropriations bills. Now the issue before the American people is how do you have a budget since they failed to do this work, and how do you continue to keep the Government moving for a short period of time?

But instead of just passing a short-term continuation of the budget, what they have purposely done is added to these measures a list of items that they know are calculated to punch hot buttons, and calculated to serve political purposes for campaigns at home so they can come in and say, "Look. We tried to get this. But the President will not give it to us."

Those items are items which could not pass here independently, and they effectively result in a kind of legislative political blackmail. They hold the gun to the head of the President. They hold a gun to the country, and they say to the country, we cannot get our way any other way. So we are going to get our way by pushing the country to the brink of default for the first time in American history, and tell the President of the United States he either gives us our way or the country be damned.

Mrs. BOXER. Will the Senator yield for a question?

Mr. KERRY. I want to finish the colloquy with the Senator from Connecticut.

Mr. DODD. I have been handed a one-page piece of paper that has just the following words:

Section 106(c) of Public Law 104-31 is amended by striking "November 13th, 1995" and inserting "December 1, 1995."

I am told that simple language would allow for the Government not to be shut down—no other bills, no other ideas, no other failed pieces of legislation—that simple clause would avoid the shutdown of the Federal Government of the United States if we would just adopt that simple language for a week or two to allow us to go about the business of negotiating all these other extraneous matters. The mere adoption of that one sentence would avoid this kind of train wreck that we are going to see later on this evening.

I ask my colleague from Massachusetts. Is that not correct?

Mr. KERRY. The Senator from Connecticut has hit the nail on the head. That is all it takes. It is very, very simple.

I might add, Mr. President, that if you want to add insult to injury for the American people, it is my understanding that the Republicans have agreed that nobody is going to forfeit any pay. So not only are we going to shut it down temporarily, but everybody is going to go home and are all going to get paid to sit at home.

What kind of a revolution is that? I mean this is the most extraordinary fakery I have ever heard in my life. We are going to shut down the Government but we are not going to shut down the Government. People are still going to get paid, in effect.

This is going to cost the American people more money, and the farce of it is the revolution is paying people not to do their jobs. Boy, that is a heck of a change in Washington, DC.

Mrs. BOXER. Will the Senator yield?

Mr. DODD. I thank my colleague.

Mr. KERRY. I am happy to yield to the Senator.

Mrs. BOXER. I am pleased to hear this discussion tonight because the Nation is very confused. They hear all of this argument, and they do not realize that the Senator from Connecticut and the Senator from Massachusetts just pointed out that with one sentence that we could move on and fight our battle on the budget, which is very legitimate. After all, we are going to see people on Medicare essentially lose at least half of their Social Security COLA as a result of this increase in their premiums.

But the question I have for my friend from Massachusetts is this: As I understand it, in this debt limit bill—I say to my friend—included in it is the House regulatory reform language. And the reason I want to ask my friend a question is this: He has been the leader in the Senate in trying to bring to the Senate a regulatory reform bill that makes sense, not one that guts the environment, not one that guts health and safety. As I understand it, the House version of regulatory reform is included in this debt ceiling.

I would like him to address for me and for others what this really means if this were to become the law and to discuss with us why on Earth he thinks the Republicans would have put a regulatory reform bill that deals nothing

with the debt on a debt ceiling increase. I would ask that question of my friend.

Mr. KERRY. Mr. President, I would be delighted to say a few words about that for my colleague from California.

The regulatory reform bill presents the most radical, overreaching effort to undo 25 years of environmental protection for the people of this country.

The regulatory reform bill that is attached to the debt limit will undo the protection of our citizens for the inspection of food for the potential of carcinogens in that food. To everybody who has read about E. coli poisoning, the incidents of people who have died or gotten seriously ill as a consequence of the lack of inspection, that will now be liberated. That will occur as a consequence of this.

I just share a list here. This is a long, rolling list. These are the 88 different openings for people to stop the process of putting out legitimate regulations within the Environmental Protection Agency. This list, which could not pass the Senate, has been attached to the debt limit.

Mr. NICKLES. We are not on debt limit.

Mr. KERRY. No, but it is attached to it. It is attached to it. What we are talking about here is whether or not the President of the United States is going to have this kind of gun held to his head or not.

Just take the continuing resolution. They have restrictions on Federal grants, lobbying to public interest groups; they have Medicare part B premium increases, abolition of certain agencies. These are not items that ought to be on what the Senator from Connecticut has adequately pointed out ought to be very simply an extension of the continuing resolution.

Mr. President, I know my colleagues on the other side of the aisle are going to say, look, we have been here for years, and we have never balanced the budget. That is correct. Some of us tried. We tried with Gramm-Rudman-Hollings. We tried with other efforts. We finally have come to an agreement that this year we are going to try to do it. The question is how are we going to do it, not whether we are going to do it.

So when anybody hears our colleagues come to the floor and say the Democrats do not want to balance the budget, I hope America will say, "Wrong; not true." We voted, 39 of us, for a 7-year balanced budget on this side of the aisle. The difference is we did not do it by making it more expensive for kids to go to college. We did not do it by cutting out the volunteer corps of America, AmeriCorps. We did not do it by cutting student capacity to have summer jobs. We did not do it by taking hot lunches away from kids. We did not do it by raiding the pension funds of this country. We did not do it by denying the people at the lowest scale of income the earned-income tax credit, the ability to be able to work out of poverty.

Do you know how we did it? We did it by not giving to people this extraordinary \$245 billion tax break, most of which is unexplainable in the face of this kind of a deficit.

Mr. DODD. Will my colleague yield?

Mr. LOTT. Will the Senator yield?

Mr. KERRY. I would be happy to yield, Mr. President.

Mr. DODD. I just wanted to ask—

Mr. KERRY. I yield for a question.

Mr. DODD. My colleague, did I understand him to say that we have an increase in premiums for Medicare in this continuing resolution? We are going to have Medicare put on a continuing resolution and not save that debate for the kind of attention it deserves with 37 million Americans depending upon Medicare? That is wrapped up in the continuing resolution?

Mr. KERRY. The Senator from Connecticut is absolutely correct.

Mr. DODD. Can my colleague from Massachusetts explain, what is the wisdom of taking a simple extension of the continuing resolution and incorporating a critically important program to millions of Americans and their families in something like the continuing resolution? Why not leave that for the broader debate? Is there some rationale that my colleague from Massachusetts, Mr. President, is aware of as to why we would have an increase in premium costs in Medicare put on something like this?

Mr. KERRY. Mr. President, I would say to my friend, there is certainly no legitimate or fair rationale. I can certainly explain to my colleague a political and craven rationale but not one that I think would meet the test and standard of fairness.

Now, I know that the acting majority leader wanted to ask a question. I would be happy to yield for a question.

Mr. LOTT. Mr. President, I understood when the distinguished Senator from Massachusetts started speaking he indicated he would speak until we were ready to dispense with the other issues pending, and we have gotten an agreement on that and I am ready to ask for that consent when he completes his statement.

Mr. KERRY. Mr. President, the Senator from Mississippi knows how to silence the Senator from Massachusetts. If we can get consent on this, the Senator from Massachusetts would be delighted to terminate his colloquy. So I would be happy to move to that consent if we can.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREE-
MENT—HOUSE MESSAGE ON H.R.
927

Mr. LOTT. Mr. President, I ask unanimous consent that the House message regarding H.R. 927 no longer be pending.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I must say, Mr. President, that that is unfortunate because this is an issue which passed the Senate on October 19 by an overwhelming vote, 74 to 24. There was a lot of discussion here about the position of the Senate being preserved. This is one where we are just trying to appoint conferees on an issue that passed, three-fifths of the Senators voting for it in a bipartisan vote, and now we are being told that there is opposition to appointing conferees to go to conference on a bill that has broad support. So it is our intention to renew this motion later but not tonight so that we will be able to go to morning business at this point.

MORNING BUSINESS

Mr. LOTT. Mr. President, I now ask unanimous consent there be a period for the transaction of morning business until the hour of 12 midnight, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

FOREIGN RELATIONS COMMITTEE BUSINESS

Mr. DODD. I just want to comment briefly, if I could, and I appreciate the acting majority leaders's willingness to lay this matter aside.

Let me say to my colleagues, I understand normally appointing conferees is a relatively routine matter. While I have underlying objection to the bill, I was in the minority. The bill did pass. The Senator from Mississippi is absolutely correct; it passed with a pretty good margin.

However, I point out to my colleagues that the principal author of this legislation is also holding up 18 nominees to serve as Ambassadors for this country, every single treaty including START II as well as the chemical weapons treaty. Frankly, moving this kind of bill to the forefront while every other major piece of legislation on the Foreign Relations Committee is held hostage because of one other piece of legislation he is interested in, I say, with all due respect, this legislation does not have the kind of urgency to it that the absence of a United States representative in the People's Republic of China, in Indonesia, I think warrants.

So I have objected to this in the hopes that these holds that have now gone for weeks—I would normally not